

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

Pete Wright, )  
                  )  
Plaintiff,     )  
                  )  
vs.             )                   Case No. 4:18-cv-01981-RWS  
                  )  
Missouri Department of Mental Health, )  
                  )  
Defendants.    )

**MEMORANDUM AND ORDER**

This case is before me on Defendant's Motion for Sanctions or, in the Alternative, to Compel and to Extend the Discovery Closing Date, the Dispositive Motion Deadline, and Other Dates in the Case Management Order. ECF No. [28]. Because the Defendant's motion does not include "a statement that movant's counsel has conferred in person or by telephone with the opposing counsel in good faith or has made reasonable efforts to do so, but that after sincere efforts to resolve their dispute, counsel are unable to reach an accord," as required under Local Rule 3.04, I will deny his motion for sanction and motion to compel.

Since the parties have been unable to complete discovery, I will grant the motion to amend the CMO. This amendment will provide the plaintiff additional time to provide the disclosures required by the CMO and extend the discovery and dispositive motions deadlines.

Accordingly,

**IT IS HEREBY ORDERED** that the Defendant's Motion for Sanctions [28] is **DENIED** without prejudice.

**IT IS FURTHER ORDERED** the Defendant's motion to compel is **DENIED** without prejudice.

**IT IS FURTHER ORDERED** that the Defendant's motion to extend the discovery closing date, dispositive motion deadlines and other dates in the case management order [28] is **GRANTED**.

**IT IS FURTHER ORDERED** that the case management order [14] issued on August 7, 2019 is amended as follows:

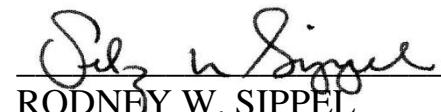
1. No later than **May 15, 2020**, the Plaintiff shall make the following disclosures to the Defendant. Failure to make the disclosures may result in sanctions, including dismissal, entry of default judgment or any other sanction that the Court deems just.

a. A list, including addresses, of all persons having knowledge or information of the facts giving rise to plaintiff's claim.

b. All documents that plaintiff believes mention, relate to, or in any way support plaintiff's claim.

2. Following disclosure each party may engage in discovery under the Federal Rules of Civil Procedure but all discovery in this case must be completed by **August 31, 2020**. Parties must file motions to compel in a prompt manner and in no event after the discovery deadline.

3. Any motion for summary judgment must be filed no later than March 16, 2020. Opposition briefs must be filed no later than **September 30, 2020**, and any reply brief may be filed no later than **November 9, 2020**.

  
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RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 9th day of April 2020.